BOARD OF ADJUSTMENT

Zoning Administration Division Planning and Development Services Department (PDSD) 201 North Stone Avenue, Tucson, Arizona 85701

*** NOTICE OF DECISION ***

DATE OF PUBLIC HEARING OCTOBER 28, 2015

THE DECISIONS OF THE BOARD OF ADJUSTMENT MAY BE APPEALED TO THE SUPERIOR COURT OF PIMA COUNTY BY FILING A COMPLAINT FOR SPECIAL ACTION WITHIN THIRTY (30) DAYS AFTER THE BOARD HAS RENDERED ITS DECISION. ARIZONA REVISED STATUTES SECTION 9-462.06 (J) & (K).

CASE NO.

THE APPLICANT

C10-15-06 MONTEER PROPERTIES DUPLEX / MONTEER PROPERTIES LLC / 2819 NORTH WOODLAND AVENUE, R-1

The applicant's property is an approximately 6,993 square foot lot zoned R-1 "Residential". The property is developed with a two-story duplex. The applicant is seeking the necessary zoning approvals to allow the existing duplex to remain as constructed. The Tucson *Unified Development Code* (*UDC*) sections applicable to this project include, but are not limited to, Section 4.7.8 and Table 4.8-2 which provides the criteria for residential development in the R-1 zone, and Table 6.3-2.A which provides the dimensional standards applicable to all principal structures. The applicant is requesting the following variances: 1) Reduce the minimum lot size requirement for two units in the R-1 zone from 10,000 square feet to 6,993 square feet; 2) Allow the gross floor area of both units to remain the same size; and 3) Reduce the side perimeter yard setback for the duplex from twelve feet (12') to seven feet one inch (7'-1"), as measured from the south lot line, all as shown on the submitted plans.

DECISION: VARIANCES 1, 2 and 3 GRANTED

[DECISION NOTE]

By UDC regulation, a building permit or development approval based upon a Board of Adjustment decision cannot be issued, until a minimum of fourteen (14) days after the Board's decision date.

IMPORTANT NOTICE

FOR VARIANCES OR DESIGN DEVELOPMENT OPTIONS (DDO) GRANTED BY THE ACTIONS OF THIS BOARD: IF A BUILDING PERMIT IS REQUIRED FOR THE PROJECT ASSOCIATED WITH THE VARIANCE OR DDO, IT MUST BE SECURED FROM THE PLANNING AND DEVELOPMENT SERVICES DEPARTMENT (PDSD) WITHIN 180 DAYS OF THE HEARING DATE.

VARIANCE AND DDO APPROVALS EXPIRE WITHIN 180 CALENDAR DAYS FROM THE DATE OF THIS MEETING. TWO ADDITIONAL (180 DAY) EXTENSIONS MAY BE GRANTED PROVIDED THERE IS GOOD CAUSE AND THE REQUEST IS MADE IN WRITING.

<u>UNLESS OTHERWISE NOTED</u>, BOARD OF ADJUSTMENT DECISIONS BECOME EFFECTUATED UPON OBTAINING BUILDING PERMITS (IF REQUIRED) AND FULL COMPLIANCE WITH ALL CONDITIONS OF THE BOARD'S DECISION.

THE 180 DAY TIME FRAME TO OBTAIN A BUILDING PERMIT DOES NOT APPLY WHEN THERE IS AN OUTSTANDING ZONING VIOLATION THAT PRECIPITATED THE VARIANCE OR DDO REQUEST FOR THE PROPERTY. THE APPLICANT OR PROPERTY OWNER MUST CONTACT THE PDSD: CODE ENFORCEMENT DIVISION FOR THE DATE THE ZONING VIOLATION MUST BE ABATED.

f you want further information, plea	se call Mark Castro at 837-4979.
	Sue Montes, Secretary
	Board of Adjustment

s: zoning administration/ba/decision/1506